

IPW

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No. : 7,008,167  
 Issued : March 7, 2006  
 Inventor : Jeffrey Henning  
 Application No. : 10/696,468  
 Filed : October 28, 2003  
 Conf. No. : 6930  
 Examiner : Charles A. Fox  
 Docket No. : 0041.0186-0002  
 Customer No. : 00152  
 Title : FORK POSITIONER FOR FACILITATING REPLACEMENT OF  
           FORKS ON LIFT TRUCKS

**RECEIVED**  
**AUG 24 2009**  
**OFFICE OF PETITIONS**

NOTIFICATION OF ERROR IN PAYMENT OF FEE  
AS A SMALL ENTITY (37 C.F.R. §1.28(c))

Chernoff, Vilhauer, McClung & Stenzel  
 601 S.W. Second Avenue  
 Suite 1600  
 Portland, Oregon 97204-3157

August 14, 2009

*Via Facsimile to 571-273-6500*  
 Director of the United States Patent and Trademark Office  
 Attn: Maintenance Fee  
 Box M. Fee  
 2051 Jamieson Avenue, Suite 300  
 Alexandria, Virginia 22314

08/18/2009 MBANGURA 00000020 031550 7008167  
 01 FC:1559 498.00 DA

Dear Sir:

On August 4, 2009, a small entity assertion was erroneously filed in this patent. This assertion of small entity status in this patent and the payment of fee as a small entity status were made in good faith.

It has now been established that such status as a small entity was established in error in good faith as follows:

The erroneous assertion of small entity status was caused by confusion of the patent owner with another party which has a similar name and which is a small entity.

10/01/2009 CKHLOK 00000005 031550 7008167  
 01 FC:1551 988.00 DA

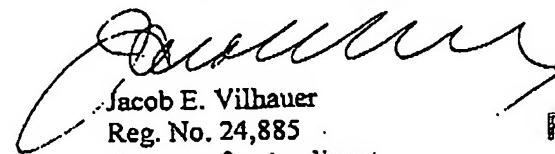
Adjustment date: 10/01/2009 CKHLOK  
 08/18/2009 MBANGURA 00000020 031550 7008167  
 01 FC:1559 498.00 CR

	Fee Actually Paid as a Small Entity	Deficiency Owed
First Maintenance Fee paid on August 4, 2009:	<u>\$490</u>	<u>\$490</u>
Total Deficiency Owed:	<u>\$490</u>	

The total deficiency owed is paid as follows:

The Director is hereby authorized to charge Deposit Account No. 03-1550 for the deficiency amount above, and also to charge any deficiency in the payment of the required fee or credit any overpayment in the manner authorized above. A duplicate of this paper is attached.

Respectfully submitted,



Jacob E. Vilhauer  
Reg. No. 24,885  
Attorney for Applicant  
Tel: (503) 227-5631

RECEIVED

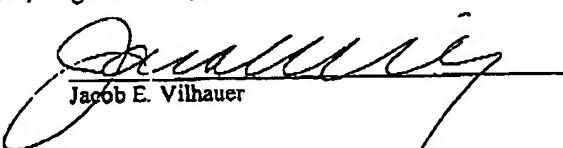
AUG 24 2009

OFFICE OF PETITIONS

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Patent and Trademark Office, Director of the United States Patent and Trademark Office, Attn: Maintenance Fee, Box M. Fee, 2051 Jamieson Avenue, Suite 300, Alexandria, Virginia 22314, via Facsimile to 571-273-6500, on August 14, 2009.

Dated: 8/14/09



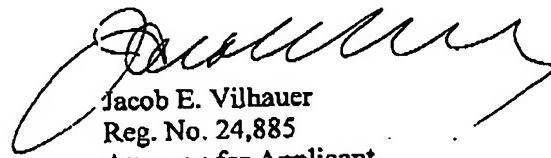
Jacob E. Vilhauer

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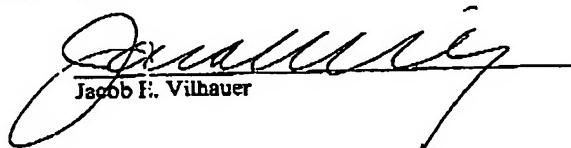


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Attorney for Applicant  
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Dated: 8/14/09

  
Jacob E. Vilhauer

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AUG 24 2009

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FACSIMILE COVER SHEET

**TO:** Director of the USPTO  
Attn: Maintenance Fee  
Box M. Fee

**FAX NO.:** 571-273-6500

**FROM:** Jacob E. Vilhauer

**Re:** Notification of Error in Payment of Fee as a Small Entity (37 CFR 1.28(c))  
Patent No. 7,008,167  
Inventor: Jeffrey Henning  
Issued: March 7, 2006  
Attorney Docket No. 0041.0186-0002

**Date:** August 14, 2009      **No. of pages following this sheet:** 4

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